

REMARKS/ARGUMENT

This amendment further responds under 37 C.F.R. § 1.111 to the Office Action of May 10, 2011, and supplements the Amendment of August 10, 2011.

Claims 1 through 20 are pending in the application. Claims 1 through 8, 10, 15, and 20 are canceled. Claims 9, 11, 13, 14, 16, 18, and 19 were amended by the amendment filed on August 10, 2011.

Rejection for Non-statutory Obviousness-type Double Patenting

Claims 1 through 20 are rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1 through 16 of U.S. Patent No. 7,776,892.

As pointed out in the Office Action, a timely filed terminal disclaimer in compliance with 37 C.F.R. § 1.321(c) may be used to overcome an actual or provisional rejection based on a non-statutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application.

A Terminal Disclaimer Under 37 C.F.R. § 1.321(b) and (c) disclaiming, with the customary exceptions, the terminal part of the statutory term of any patent granted on the instant application that would extend beyond the expiration dates of the full statutory terms of U.S. Patent Numbers 7,776,892 is filed with this supplemental amendment.

Accordingly, it is requested that rejection of claims 9, 11 through 14, and 16 through 19 on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1 through 12 of U.S. Patent No. 7,776,892 be withdrawn.

Application No. 10/588,360

SUPPLEMENTAL AMENDMENT of February 14, 2012

In view of the foregoing, it is submitted that this application is in condition for allowance.

Favorable consideration is requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul Grandinetti".

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